Topfree 7 to go topless June 21

Group protests law; police ready to act

By Craig Gordon
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Nearly a year after seven women bared their breasts in protest at a Rochester park, the laws against women taking their shirts off in public haven't changed.

Now two of the women say that's reason enough to do it again.

"The law is gender-discriminatory. We want it stricken from the books," said Mary Lou Schloss, one of the so-called Topfree 7 who is helping organize a similar protest this summer.

Schloss and Topfree 7 colleague Ramona Santorelli said they and others plan to take off their shirts June 21, the anniversary of the first protest in Cobbs Hill Park.

This year, though, they won't release the location of the protest until shortly ahead of time to try to avoid a repeat of last year's crowd of about 30 gawkers who heckled and jeered them.

While the plan may avoid hecklers, Monroe County District Attorney Howard Relin said there will be police who will arrest the women.

"As far as we're concerned, if they commit the same acts as last time, they are subject to arrest and will be arrested," Relin said yesterday.

The women last year intentionally sought their arrests in order to begin a legal challenge to state laws that say men, but not women, can go shirtless.

City Court Judge Herman J.

Library Democrat and Chronicle

Ramona Santorelli, one of the Topfree 7, wearing a topless Statue of Liberty shirt last year.

Walz dismissed the indecent exposure charges against them in December, saying they had a free-speech right to bare their breasts as a way of protesting the law.

But they lost on the key issue of the protest because Walz also ruled the state law is constitutional regarding sex-discrimination.

The women believe the law is unconstitutional because it doesn't provide equal protection to men and women, Schloss said. They will be prepared to be arrested again this year to start a second legal challenge, she said.

"This year, the only grounds we will present are equal protection of law," Schloss said. "If we win, we would have the right to go out and be topfree. If we lose, we have a route to the appeals court."

If the women are arrested that day in the city, the case will go before City Court Judge John R. Schwartz. He said yesterday he had no comment.

Relin said Walz's ruling is not binding on any other judge, which means other judges can handle the cases differently than Walz.

Relin's office filed notice in March that it will appeal the dismissals of last year's charges. The women had hoped for an appeal to carry their cases into a higher court.

The appeal has been delayed while prosecutors wait for a transcript of the first case. Relin said he expects to file the actual appeal in Monroe County Court within the next two months.

Meanwhile, Santorelli said, the women also plan to encourage others around the state to get involved in similar protests that day. She also said the women will be contacting area legislators to encourage them to work to change the law.

Santorelli said she feels the protests are important, not just for the legal challenges, but because they keep the issue of discrimination in the public eye.

"I think it's one of the most effective ways to raise people's consciousness," she said. "The more people can become accustomed to seeing women in a natural state . . . we'll move in a direction of viewing women as people, not objects."